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PUBLICATIONS

OF THE

SOUTHERN HISTORY ASSOCIATION.

COLYER MERIWETHER, Editor.

ISSUED BI-MONTHLY.

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Pursuant to a call signed by nearly a hundred representative persons of the South, the Southern History Association was organized at the Columbian University, Washington, D. C., on the evening of April 24, 1896, for the purpose of studying the history of the Southern States. In carrying out this aim an annual meeting is held, and a Bi-monthly Publication issued. The Association also desires contributions of journals, letters, manuscripts and other material towards the beginning of a collection of historical sources. It will gladly accept papers based on research and documents on all subjects touching the South.

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VOL. IX.

JULY, 1905.

No. 4

VICE-PRESIDENT ANDREW JOHNSON.

BY DAVID M. DEWITT.
Kingston, N. Y.

(Concluded below.)

Accordingly, on the very afternoon of the day that Lincoln died, a caucus was held of leaders of this type; and "the feeling" among them, as one of their number has recorded, "was nearly universal that the accession of Johnson to the Presidency would prove a God-send to the country." The next day, the Committee on the Conduct of War, composed for the most part of fierce partisans such as Wade of the Senate and Julian of the House, waited on the new President at the Treasury and "Bluff Ben," as he was called, expressed the common sentiment in his own outspoken way: "Johnson, we have faith in you. By the gods, there will be no trouble now in running the government." And the earliest utterances of the new President seemed to confirm their fondest anticipations. While the body of the lamented Lincoln still lay in the White House; while it lay in state in the Capitol; while it was taking its long march across state after state to its final resting place; delegation after delegation was seeking out Lincoln's successor to hear what he

had to say. Extraordinary precautions had been taken to guard him from the fate of his predecessor, but he heeded neither guards nor detectives and opened his doors to everybody without exception and without a thought of fear. To all his visitors—committees and delegations—he spoke in his characteristic repetitious manner, hammering away at the one thought uppermost in his mind as being the most appropriate to the crisis; viz: the treasonableness of treason. Treason must be made odious.

"We say in our statutes that murder is a crime, that arson is a crime and that treason is a crime." "Burglary is a crime and has its penalties, murder is a crime and has its penalties."

His favorite illustration was drawn from the fearful tragedy just enacted.

"I repeat, who * * * here would say that the assassin, if taken, should not suffer the penalties of his crime. Then, if you take the life of one individual for the murder of another, and believe that his property should be confiscated, what should be done with one who is trying to assassinate the nation?"

Utterances like these, repeated again and again for days—chiming in as they did with the popular desire for vengeance which the assassination had raised to the point of frenzy—were hailed as the oracles of a second Daniel come to judgment.

Days laden with momentous events passed by. The twice-chosen ruler of the people—"with malice towards none, with charity for all"—was buried out of the way; the Sherman-Johnston convention, restoring the Union at one stroke and proclaiming: "Peace from the Potomac to the Rio Grande," was repudiated with contumely; two hundred thousand soldiers of the armies of the North paraded the streets of the capital on the way to their homes; the armies of the South melted away, so that soldier was no longer distinguishable from civilian; the leaders of the collapsed Confederacy, who had been captured or had surrendered, were now in

close custody, and the rest had fled the country; over the whole wide theatre of rebellion there rested the quiet of exhaustion and death. The stage was clear for the initiation of the experiment of making treason odious.

A brief exposition of the reason why this experiment failed at the very outset will fitly close this sketch of the man who was expected to carry it through.

In the first place, it should be noted that nowhere, either in the country or in the cabinet—not even during the temporary madness succeeding the assassination—was there any clamor for a reign of terror at the South. The masses were to go unscathed. Even the most zealous for proscription, including those who afterwards denounced the President because he punished nobody, demanded but comparatively few victims; and these selected from the prominent secessionists of 1861. In this direction the President and his party were of one mind. As he declared at the time of his accession: “And while I say as to the leaders punishment, I also say leniency, conciliation and amnesty to the thousands who have been misled and deceived.”

His proclamation of amnesty was in strict accordance with this utterance and provoked no remonstrances from any quarter. On the contrary, its exceptions being more extensive than those of a similar proclamation of his predecessor, it was hailed as a token of the wholesomer severity of the present incumbent; the number left out of its clemency being large enough for a holocaust satisfactory to the most ferocious patriot.

The moment, however, this policy of exemplary punishment of the leaders once came to be put into practice, problems of great perplexity sprang up on every side. The chief of the overthrown Confederacy, from the very circumstance of his position, must be the first and foremost to undergo the extreme penalty of the law; there was, in fact, a widespread demand for his execution, and the President and his

cabinet—the President particularly—were anxious for his speedy trial. But at the very first step, the question arose: For what crime shall he be tried? The military commission that condemned the accused co-conspirators of Booth before it, also found guilty of complicity in the assassination Jefferson Davis, as well as other Confederates, who were not before it. Such a judgment, at the first glance, seemed to put the neck of the late President of the Confederate States at the mercy of the President of the Union. Select the same or another board of army officers; bring Jefferson Davis before it; produce the same witnesses; the verdict would be a foregone conclusion, sentence of death must follow and, with the approval of the President, could be carried out within twenty-four hours.

Two powerful objections, however, stood in the way of the adoption of this easy method. First: "The common law of war" might be good enough for "jay-hawkers and banditti," as Attorney-General Speed held the persons actually arraigned before the military commission to be; but the government naturally shrank from putting such a novel discovery in jurisprudence in force in the case of a prisoner so conspicuous in the world's eye. The misgivings concerning the constitutional competency of a tribunal of soldiers to try a citizen in localities where the civil courts were open for any crime whatever, were beginning to assume portentous dimensions. At the last session of Congress, on motion of Henry Winter Davis, the House of Representatives tacked on to the miscellaneous appropriation bill a section making all such trials invalid; and the entire bill failed to pass because of the disagreement between the two Houses over this amendment. The judgment of a military commission, sitting at Indianapolis, condemning to death a citizen by the name of Milligan, was on the way to the Supreme Court of the United States for review; and that high tribunal did subsequently reverse it as a clear contravention of a consti-

tutional right. An objection so formidable as this, but one consideration could by possibility have overcome, viz: the testimony in support of the charge must be so convincing and given by witnesses so reliable, that the atrocity of the proved offence would overlay the want of jurisdiction in the tribunal in the sympathies of the civilized world. But, at this point, the second objection came into play. The testimony connecting Jefferson Davis with the assassination plot, taken in secret before the military commission, would not bear the light of day; being in its subject-matter of the most flimsy and inconclusive character, grossly incompetent under the most elementary rules of evidence and proceeding from the mouths of professional witnesses testifying under pay. Several efforts were made to bolster up its obvious inadequacy. The Attorney-General was sent over the Canadian border with ten thousand dollars of government money to procure the papers of Jacob Thompson, Secretary of the Interior under Buchanan, the contents of which, it was thought, would make Davis's complicity clear. But the person having the papers in his possession refused to treat. Several persons were brought to the Bureau of Military Justice by the leading witness employed by the government, and made affidavits corroboratory of his own testimony. But they subsequently retracted their sworn statements, and the leading witness was indicted and convicted for suborning them. So that, in the words of Seward spoken under oath, "the evidence of the alleged complicity of Jefferson Davis thereupon failed." Eyes were then turned in another direction. High hopes were entertained that the Confederate President might be implicated in the charge of cruelty to prisoners at Andersonville, for which Henry Wirz was tried and condemned by a court martial. But, in this instance also, the evidence was not forthcoming, and Wirz suffered alone.

The administration had no alternative, therefore, but to

fix upon treason as the crime, for which the distinguished culprit was to be brought to trial. Seeing that treason was the crime that was to be made odious, the President naturally preferred that the head-offender should be tried for that offence, of the guilt of which, surely, there could be no lack of evidence. But, here, too, the question intruded itself: By what kind of court? The Attorney-General, who so recently held that the accused assassins could be, and, indeed, ought to be, tried by a board of army officers, was now just as firm in the opinion that no person could be lawfully tried for treason by any other tribunal than a common law jury. Seward, we learn with some astonishment, thought that Davis might be tried for treason by military commission; but the other members of the cabinet, so far as any opinion was expressed, sided with the Attorney-General, whose views, besides, were endorsed by several eminent counsel. Stanton himself thought that "Davis ought not to be tried before any tribunal whose jurisdiction was seriously questioned or disputed."

The constitutional mode of procedure being unavoidable, the next question was where shall the trial take place, in the North or in the South? An indictment for treason against Jefferson Davis, found by a grand jury in the District of Columbia, was pending; and what more appropriate place for the trial of the arch-traitor could there be than the capital of the Federal Union? But the Attorney-General again interposed with an official opinion that the prisoner could only be tried by a jury of the vicinage where he had been personally present when the overt act laid in the indictment was committed; thus shutting off all those places in the northern or border States where the Confederate armies, or offshoot expeditions from them, had carried the war; and the treason act of 1790, besides, providing, as it did, that the lapse of three years from the commission of the crime barred an indictment, every act of Davis during the first

year of the war committed in the District of Columbia was beyond the reach of the civil courts. A suggestion was made to lay the venue in East Tennessee, where, as it happened, the Confederate President had visited his army; but, after anxious consideration, the President and his Attorney-General both concluded that it would not look seemly to locate the trial so near the President's own home.

The place of trial, therefore, being practically restricted to the State of Virginia, the government was compelled to look for a verdict against the leader of the rebellion from a jury made up of persons who, if they had not been actual participants, had at least made no active opposition. This mode of prosecution nevertheless found favor with the President. What he wanted was a trial of historic celebrity, the champion of secession for the culprit, and the treasonableness of secession for the issue. His purpose was defined in his first message:

"It is manifest that treason, most flagrant in its character, has been committed. Persons who are charged with its commission should have fair and impartial trials in the highest tribunals of the country, in order that the Constitution and the laws may be fully vindicated; the truth clearly established and affirmed that treason is a crime, that traitors should be punished and the offence made infamous; and, at the same time, that the question may be judicially settled, finally and forever, that no State of its own will has the right to renounce its place in the Union."

With this view, eminent counsel—ex-Governor Clifford, of Massachusetts, and William M. Evarts, of New York—were employed to assist the Attorney-General, and Chief Justice Chase was requested to preside over the court. But difficulties gathered thick and fast. In the first place, with the law as it was then, incapacitating from service as a juror every man who had formed or expressed an opinion as to the guilt or innocence of the accused, how could a jury be obtained? And, supposing this initial embarrassment overcome, what momentous questions might be raised on the trial! The character of the Federal Bond; the reserved

right of a State to withdraw; the lawfulness of the invasion of a State by the armed force of the Union, and the correlative criminality of resistance; the guilt or innocence of a citizen, who, being forced to incur the penalty of treason against his own State or the penalty of treason against the United States, clings to his immediate liege lord rather than recognize the remoter fealty of the common sovereign; the effect upon the participants in the rebellion of the concession of belligerent rights; all these questions, illuminated by three-quarters of a century of debate, would be pressed, not only upon the court, but upon the jury. The arraignment, trial and condemnation of so gigantic a rebellion in the person of its titular head, in a court of the Federal Union, sitting in the fallen capital of the overthrown Confederacy, presided over by the Chief Justice of the United States, and conducted in strict accordance with the impartiality characteristic of our civil tribunals, undoubtedly would be a world-historic spectacle! But what if the result were problematical? What if the trial put in jeopardy not alone the life of the prisoner, but the life of the Union?

As a matter of fact from the moment it became certain that to punish the leaders of the rebellion military commissions and courts-martial were no longer available, a strong feeling began to pervade the councils of the dominant party that it would be the height of foolhardiness to risk the unsettlement of the verdict of the war before a jury of twelve citizens of Virginia. James F. Wilson, chairman of the Judiciary Committee of the House, in a speech delivered in June, 1866, referring to the suggestion of the President's message quoted above, wrought himself up into a surprising state of nervous agitation over what he denounced as a most alarming proposition:

"Courts have nothing to do with such a question. It would be a crime against the people for judges to permit its discussion and judicial treason for them to assume jurisdiction over it."

"Armies alone can discuss it. Battles alone can decide it. The

certainty that the Supreme Court is now sound on the question is no apology for the presence of this serpent nestling in the message. Judges may die, parties may change. Treason may sometimes be enrobed on the bench. Doubtless Jeff Davis, should he ever be brought to trial, would like to have his case crowned with a judicial affirmance of the right of a State to renounce its place in the Union, and thereby win for himself and for the South that which armies could not secure for them—the disintegration of the Republic.”

“Once admit the right of a State to secede from the Union is a debatable question to be determined by the courts, and you will have done more toward the destruction of the government than was ever done by armed treason on the field of battle.”

“The issue was tried by armies and resolved in favor of the indissoluble unity of the Republic. Shall we now permit an appeal from this decision to the courts of the nation? Is not the question settled? When is this thing to end? When shall we know that we are a nation?”

Pressed by the pertinent inquiry, what was the judge to do should the defendant’s counsel insist upon raising the issues, he could only answer: “Simply to say ‘this is an issue which cannot be tried in this court’”—leaving out of view the contingency that the jury might acquit, or refuse to convict on that very question. And an acquittal, or even a failure to convict, was so pregnant with tremendous consequences that every officer whose duty might call him to be an actor in the movement might well pause. The district attorney of the Richmond district believed a conviction could be secured. The Attorney-General was inclined to agree with his subordinate. Evarts was of the contrary opinion. The President, however, was troubled with no misgivings. Influenced by his belief that the masses of the South had been dragooned into rebellion by the leaders, he apprehended no difficulty in getting a proper jury; and, regarding as he did the Constitution with a superstitious reverence, he had no fears that any advocate, no matter how eminent, could read into that glorious instrument a doctrine he had always contended was utterly groundless. While vindictive partisans were grumbling that the President was proving false to his brave declarations and imitating Lincoln in soft-heartedness towards traitors, the President was

in truth the only member of the Administration who did not distrust the policy of retrying the issues of the war before a Southern jury. He would have gone right on to judgment; first, in the case of the Confederate President and then in the cases of the more prominent leaders. Whether, when he came face to face with the infliction of the death penalty, he would not have paused may be a question. But impediment after impediment, delay after delay, interposed, for which he was not responsible and could not avert. Chase refused to hold court in Richmond until the State was cleared of the military, and the Attorney-General was unwilling to bring on a trial that involved questions of such pith and moment before a judge of inferior rank. The postponement of the leading case carried all the other prosecutions with it. Eighteen persons, including General Lee, had been indicted for treason at Norfolk. Lee, as well as Johnston, and the officers and soldiers of the two armies, were protected by the terms of surrender, as General Grant contended in opposition to the opinion of the President. The statute of limitations of 1790 barred the prosecution of many of the leading advocates of secession in the year 1861. And the same difficulty with a jury of the vicinage and the same peril of an adverse verdict or of a disagreement clung around the most ordinary case. Everywhere the prison doors began to open; Stephens and Clay and Reagan and Mallory and the other captured Confederates were set at large on parole. If the saying of Toombs: "When traitors become numerous enough treason becomes respectable," on which Andrew Johnson once expended a flood of animadversion, had not come to pass, it certainly began to look as though when traitors became numerous enough treason became unpunishable. "To draw an indictment against a whole people," was conceded from the first to be nugatory. To draw indictments against individuals guilty only of an offence common to a whole people came to appear invidious and unjust as well as nugatory.

To conclude: That the triumphant close of the most stupendous civil war in the history of the world was not stained with the blood of a single man among the vanquished, was not due to the magnanimity of the party in power; was not due to the magnanimity of the Congress or the President; not even to the magnanimity of the victorious North; but is to be attributed precisely to the fact that the civil war was so stupendous, that the rebellion suppressed was so widespread in area and so unanimous with the population. In truth, it was not properly a rebellion; it was not properly an insurrection; it was the uprising in a struggle for independence of eight millions of people occupying an extent of territory fit for an empire. To such an enormous case, the constitutional modes of procedure for the trial and punishment of individual offenders could not be made to fit. They broke in the handling. You could not inaugurate a Bloody Assize, like that of Jeffrey's, over a continent where the jurors must necessarily be drawn from sympathizers with the accused. You could not prosecute and punish the ringleaders, as in Shay's Rebellion or in the Whiskey Insurrection—mere sporadic outbursts in the midst of a law-abiding population. A bill of attainder naming the Confederate leaders would have met the case exactly; and there is very little doubt that the majority in Congress at one time were in a mood to have swept aside the slow, uncertain, tantalizing and, indeed in this case, virtually impracticable process of the civil courts, and plunged headlong into a usurpation of the functions of the judiciary themselves. But the Constitution stood inexorably in the way; and they were forced to look on in impotent wrath, while so-called traitor after traitor was set at liberty because of the inability or the unwillingness of the government to bring him to trial. They hastened to lay the responsibility for this state of things upon the President, charging him with fickleness of purpose and treachery to principle, in that he had not exemplified the

odiousness of "treason" by dealing summarily with the leading "traitors." But the President must be acquitted of any such responsibility. Inconsiderate in his utterances at the crisis of his accession he may have been, and deficient in foresight in not anticipating impediments to the putting of punitive measures into practice. But this is the full extent of his offending. He certainly continued to press for the punishment of treason by constitutional methods even after the more sagacious radicals had recognized the peril, as well as the futility of such a course; and, in the face of the iron-bound circumstances of the case, the President, it is clear, was as powerless as the Congress itself. That this is the truth of the matter appears from the fact that the breach between the majority in Congress and the President did not take place on this point of difference, but on the President's policy of reconstruction. We should have heard nothing of Johnson's breach of his promises to make treason odious, had it not been for his headlong haste to restore the Union of the Fathers. The non-fulfillment of these promises could work no danger to the party in power, for clemency to the vanquished was sure to meet the ultimate approval of the Northern people and was after all dictated by the exigency of the times, for which no particular person could be held responsible. On the other hand, the policy of reconstruction adopted by the executive put in jeopardy the party's very existence.

And yet it was upon this very life-and-death issue, that neither the party as a whole nor any of its factions could make good the charge of inconsistency, apostacy or tergiversation against the executive. Upon the question of the punishment of the rebel leaders, the radicals may have had some cause of complaint that Andrew Johnson in action turned out so different a man from Andrew Johnson in speech. But upon the question of reconstruction, they had none whatever. Upon that question, his course had been perfectly

consistent and straightforward from the very beginning. Not a single utterance in the past committed him to any other. He was simply fulfilling the pledges he had made to the people of his own State; simply following an example he had himself set in the reconstruction of Tennessee; simply remaining true to the principle he had enunciated as long ago as November, 1863, when, in a letter to Postmaster-General Blair, he warned President Lincoln to beware of "the proposition of States relapsing into territories and held as such;" in fine, simply carrying out that policy which, at his inauguration as Vice-President, he succeeded in enunciating to the shocked audience before him.

(Concluded.)

THE FIRST CLASH IN THE TEXAS REVOLUTION
—THE TAKING OF ANAHUAC BY TRAVIS.
DOCUMENTS, 1835.

(Concluded below.)

THE AGGRESSIONS OF THOMPSON.

VELASCO, *August 29th, 1835.*

The undersigned citizens of the Department of Nacogdoches in Texas do hereby certify that on or about the 25th of July they sailed in company with several other persons from the Town of Anahuac, to visit several places on Galveston Bay, and that Capt. Thomas M. Thompson, Commander of the Mexican Schooner of War *Correo*, invited ourselves and party on board his schooner, as we sailed together down the bay, which invitation was accepted, and while on board said *Schr.*, the owner of the sloop in which we sailed requested Capt. Thompson to give him a permit for his sloop to proceed in a few days to Velasco with the subscribers, which permit he, Capt. T. promised to give at Galveston Island. On our arrival at said island a few days after, however, the Capt. sent his boat out to us but sent no permit, and proceeded next day to sea, stating that he was bound for Matamoras. In the course of conversation on board the *Schr.*, the Capt. said that he was authorized to cruize from Matamoras along the coast to the Sabine river, that he was the commandant of the ports included in those limits.

And the subscribers further certify that on or about the 10th inst. they had engaged the sloop before mentioned to sail from Anahuac for Velasco, and had put their property and provisions on board, but were prevented from sailing by

headwinds, that during this their delay, Capt. Thompson returned to Anahuac, and embargoed the sloop in which the subscribers had intended to sail, although there was at the same time a schooner of about the same size and more seaworthy, lying idle in the port, that the said Thompson being called on for an explanation said that he had fallen in with Capt. Pettit of the Schooner Bravo, who had given him dispatches from General Cos, directing to return to the Bay of Galveston, and await the arrival of troops at that place, and that having important despatches and officers on board his vessel for Matamoras, he was under the necessity of having a vessel for that purpose, and that no other than the one he had taken would answer, that the property of the subscribers was ordered to be put ashore, and the vessel taken alongside the Correo and refitted, and the two subscribers A. C. Allen, and A. G. Yates further state, that they were subsequently informed by an officer on board the Correo, that the said Thompson did not take said sloop for the purpose of sending her to Matamoras, but merely to cruise on Galveston Bay, and further said that Capt. Pettit had given Capt. Thompson no new despatches, and it is in the knowledge of all the subscribers from the owner of the sloop, or his agent, that said owner fearful of losing his sloop entirely, proposed to T. that he should purchase her, and T. offered one hundred dollars therefor, which amount said owner was compelled to accept, though the same was not considered more than half her value. And said T. further stated to the subscribers that he had declared the port of Brazos in a state of Blockade, and should take all vessels entering there as prizes, that he had notified Capt. Pettit to that effect, and should take him, if he fell in with him. That the steamboat Cayuga was also a prize and he intended to take her as such at the first opportunity. That he had landed 300 troops at Copano, and that a full and sufficient force under General Cos would be introduced into Texas immediately to retain

its submission. And I. N. Moreland, one of the subscribers, hereto further said that he heard the said T. offer one thousand dollars reward for the apprehension and delivery of Mr. Travis to him and added thereto that he, Thompson, would swing said Travis at his yard arm in less than half an hour after his delivery; and A. C. Allen further states that he applied to said Thompson for a permit for the said schooner lying in the said bay, to proceed to Velasco with the subscribers and return with 5 barrels of flour and 18 bags of coffee, of which articles the families and stores in Anahuac were nearly destitute at the time, and said Thompson refused such permit. And the subscribers further say that they have heard said Thompson repeatedly say that he intended to take all the negro slaves in the country that he could get in his possession and offer them their liberty after one year's service, and that there were no slaves legally indented in Texas.

And said Moreland further says that he heard said Thompson say that all vessels and persons on board thereof, found sailing in the waters of Texas or on its coast without a permit from him or in his absence from the Captain of the Port, when found, were liable to be seized and pressed into the Mexican service.

A. J. YATES,
I. N. MORELAND,
A. C. ALLEN.

Sworn to and subscribed before me, J. Brown, Commissario; August 29th, 1835.

[From *The Texas Republican*, September 19, 1835.]

COS TO THE AYUNTAMIENTO OF COLUMBIA.

Commandancy General and Inspection of the Interior States of the East:

The Supreme Government of the republic and this Commandancy has at all times made a distinction between those

inhabitants of Texas who are faithful to their oath and to the Laws, and those faithless adventurers who have nothing to risque in a revolution, and who occupy themselves only in disturbing the public order and misleading and perverting the incautious.

The scandalous attack upon Anahuac, criminal in every point of view, did, indeed, create for a moment a doubt of the loyalty of the inhabitants of Texas to the Mexican Government, because it was made to appear as the act of all, done by order of the Political Chief of Brazos; but I have had the greatest satisfaction to-day in reading the exposition which various citizens of your town directed to Col. Dn. Domingo de Ugartechea dated the 17th of last month, in which they manifest explicitly their regret and disapprobation of the circumstances, and renew the assurances of obedience to the laws of the Republic. This conduct confers upon them at the same time honor and security.

As it is impossible that the attack made on the Garrison of Anahuac should pass with impunity, I require and stimulate the patriotism of your honor to proceed immediately and without excuse to the apprehension of the ungrateful and bad citizen W. B. Travis, who headed the revolutionary party; and to cause him to be conducted to Bexar in the safest manner and placed at the disposal of the Principal Commandant of the State, in order that he may be tried and punished according to Law. I am informed the above named Travis is an injury to these inhabitants of Texas, and it is a shame that the public authorities should in cold blood be tolerating his excesses when he ought to have been punished long ago.

If your honor and the good inhabitants of that department would give an unequivocal proof of your attachment to public order, and desire never to be compromitted in the outrages committed by Travis, it is necessary that you should without hesitation cast aside every motive of misplaced con-

sideration or compassion and proceed with the greatest activity and reserve, so that by the chastisement of the delinquent no doubt may be entertained of the good faith of those who, in the midst of peace alone, can enjoy the guaranties necessary to their prosperity and to the increase of their well acquired property.

I do not doubt that your honor will act in the manner that I have indicated, and in the meantime receive the repetition of the assurances of my respectful consideration.

God and Liberty.

MARTIN PERFECTO DE COS.

MATAMORAS, *1st of August, 1835.*

To the Political Chief of the Department of Brazos.

[MS. Austin Papers.]

MILLER TO THE AYUNTAMIENTO OF COLUMBIA.

Chieftaincy of the Department of Brazos.

In consequence of my ill-health I am unable to discharge the function of my office, I have therefore called upon Wily Martin constitutional Regidor of this Jurisdiction, to take charge of the office. (The alcade refusing to serve.)

He has this day entered upon his official duties.

God and Liberty.

J. B. MILLER.

To the Illustrious Ayuntamiento of the Jurisdiction of Columbia. San Felipe de Austin, July 19th, 1835.

[From a newspaper clipping.]

BRUTUS TO MILLER.

To James B. Miller, Esq., Political Chief of the Department of Brazos:

Sir: You must be candid enough to admit that Texas is now in a horrible state of anarchy, confusion and uncertainty as to her future fate. Have not your official acts

tended in a great degree to bring about this state of things in this department? Remember your proclamation of the 21st of June, calling the people under arms. Remember your official order to the different Ayuntamientos about the same date! Remember the notorious meeting held at San Felipe on the 21st of June, and presided by you! Remember the resolutions of that meeting, recommending the expeditions to Monclova and to Anahuac! Do you deny that these resolutions were approved and signed by you? If so, why did you neglect your sworn duty of attempting by legal and constitutional means to suppress them.....? I am told, sir, that you have sought to throw the blame of these acts (if blame there is) on your evil counsellors. Who were those counsellors?..... They were the men, who for purposes of their own, put you in office over the head of the most virtuous, patriotic and inflexible citizen of Texas; and you took their advice instead of that of a council of the whole people of the department. You took the advice of a faction, instead of that of the whole people convened in council. I will pass over several of your minor manifest violations of the laws, and ask you by what authority you have acted in abandoning your post at a critical moment and delegating the functions of your office to another? By what law do you justify yourself for vesting the Chieftaincy in the worthy person of Capt. Wily Martin? I admit the fitness and brilliant qualities of that individual, but these do not authorize you in placing your high office in his hands in direct violation of the laws, thereby making him to all intents and purposes an usurper.

'By law 37, in case of death, absence from the department, or other incapacity to serve, the First Alcalde should take the place of the Political Chief. In default of the Alcalde, the Regidores in their official order shall take the place. How was it that Martin, the Fourth Regidor, took your place? How was it, moreover, that you acted officially at Cole's Set-

tlement while Martin acted at San Felipe. You say that the Regidors Gay, Pettus and Christman (Chriesman) refused to serve; but this is not true, they were not asked. If they had been asked, they would have had no legal right to refuse.'

.....At one time you refused to commission persons to negotiate for peace with General Cos, at another you open negotiations with an attempt to execute the arbitrary orders of a petty military commandant. After you had thrown the Department in confusion without consultation, you pretended to call a council of the Department. Why did not that body meet? Because you ordered elections in some of the municipalities and omitted it in others, so that half the Department was not represented.....

"BRUTUS."

August 16, 1835.

In another column is this expression from the Editor: "We say unto Brutus, 'Speak, strike, redress!' Tell us if Wyly Martin is, or was, constitutional Political Chief? Did Miller directly or indirectly authorize Travis to capture the fort of Anahuac? Whose money did the committee give Capt. Tenorio? and how did that worthy deserve any money at their hands? Who authorized Martin to correspond with General Cos? What was the nature of the communication sent by the foreigners Gritton and Barrett? and the answer? Was Gritton really an emissary of Santa Ana's?"

[From *The Texas Republican*, September 26, 1835.]

UGARTECHEA TO COS.

BEXAR, 1835.

By the enclosed communication from Captain Don Antonio Tenorio and the Political Chief of SanFelipe you will see that the revolutionists, losing hope of carrying their un-

dertaking to a successful end, have taken flight to the interior. I am expecting answers to the last extraordinaries that I sent to the Political Chief of the Brazos; and if by them I do not receive authentic information that Senor Zavala has been apprehended, and also of the flight of the other foreign revolutionists, I shall start as you order me with all the cavalry to the Brazos. There are now here the horses that Lieutenant Manchaca went to receive at Lipantitlan.

(No date.)

[Sp. MS., Bexar Archives.]

UGARTECHEA TO COS.

BEXAR, *Sept. 8, 1835.*

I have the honor to send you the enclosed copies of three officios that the military commandant of Nacogdoches, Colonel Don Pedro E. Bean, addressed to me by the last post. They will give you an exact idea of the very few hopes which there are at present of preserving the order and tranquility for any length of time in that department and that of San Felipe; if with the promptitude which the circumstances demand, energetic measures are not taken to put a stop to the friends of the revolution.

Captain Don Antonio Tenorio, who has just arrived, confirms officially whatever I have said, and adds that at the time of his departure from San Felipe it was said that ex-General Mexia had gathered 1,500 men in the United States of the North with the knowledge of the government. This coincides with what Don Thomas Chambers has said, that he knows commissioners of the said government are in the country, two of whom he might name, and that they had come with bad intentions and foment the revolution in Texas.

As a result of the introduction of a party of foreigners to whom Mr. Bean refers, hostilities have already begun in this department.

[From Sp. MS., Bexar Archives.]

(Concluded.)

LAFAYETTE'S CAMPAIGN IN VIRGINIA, APRIL 1781—OCT. 19, 1781.

BY GENERAL MARCUS J. WRIGHT.

Marie Jean Paul Roch Yves Gilbert Motier de Lafayette was born at Chateau-Chavagnac, Auvergne, France, Sept. 6, 1757, and died in Paris, May 20, 1834. His family was one of the most ancient and eminent of the French nobility. Determining to offer his services to the cause of the American colonies in their resistance to the British, he sailed from Passages in Spain accompanied by eleven officers. After distinguished service in the northern colonies he was placed in command of the Army of Virginia, April, 1781. At this time Arnold and Philips had their united forces at Portsmouth. Their object was thought to be to move up James River, capture the magazines and destroy property. Lafayette arrived at Richmond with his troops 29th April.

Arnold was entrenching at Portsmouth fearing an attack from the Americans combined with the fleet of the Chevalier Des Touches. General Philips had arrived with reinforcements from New York on 26th March, and had reached the south side of James river, and destroyed property and treated people with cruelty. Leaving a garrison at Portsmouth, General Philips dropped down to Hampton Roads, his first design being against Williamsburg, to break up a detachment of Virginia militia. He landed at Burnell's Ferry on the 19th April and took possession of Williamsburg and Yorktown, and then marched to Barrett's Ferry, where he re-embarked up James river enroute to seize arms stored at Prince George Court House. He proceeded from thence to City Point and disembarked 24th April and continued on the south bank of the Appomattox toward Petersburg. At Blanford, near Pe-

tersburg, he encountered the militia of General Muhlenberg and attacked them the afternoon of 25th April and drove them back. Philips took possession of Petersburg, destroyed the tobacco warehouses and captured the shipping in Appomattox, and then moved to Chesterfield Court House and destroyed the stores which had been moved from Prince George Court House. Arnold moved to Warwick and set fire to all the tobacco warehouses.

Baron Steuben retreated to Chesterfield C. H., and then to Falling Creek. The British moved, 27th April, to Osbornes on the south side of James river, thirteen miles below Richmond, and to Cary's Home, near Manchester, opposite Richmond on the 29th. That day General Lafayette had moved into Richmond. Phillips' force was 2,300, Lafayette's 900 regulars, but Philips did not attack.

On 29th April the British returned to Bermuda Hundreds and embarked there on the 2d May, moving down James river and on the 7th the fleet anchored off Brandon's Home on the south side of the stream, where all the troops landed except the light infantry which were sent to City Point. Lafayette followed on the north side of the James. He arrived on 3d May at Pamunkey river, and on the 4th camped near Botton's creek, the British still below him. Lafayette at this time was serving under orders of General Greene. Greene was then watching Cornwallis in the Carolinas. After the battle of Guilford Court House, Lord Cornwallis set out with his army from Wilmington on the 25th April, 1781, and reached Halifax on the Roanoke early in May and ordered General Philips to join him at Petersburg. Soon after General Philips arrived at Petersburg (13th May) he died of a fever and his command devolved upon Benedict Arnold, the next officer in rank. While the British force was moved towards Petersburg Arnold detached Lieutenant-Colonel Simcoe and Lieutenant-Colonel Tarleton along the road leading south toward the Roanoke river in order to secure

the crossings of the Meherrin and the Nottoway, the only intervening streams, to facilitate the advance of Lord Cornwallis from Halifax. Lafayette returned from Botton's creek, where he had encamped 4th May—and to Richmond on the 7th, having been advised of the approach of Cornwallis. He dispatched General Wayne to hasten his movements to join him before Cornwallis could form a junction with Arnold at Petersburg, which occurred on the 20th May. General Greene wrote Lafayette after he learned of Cornwallis' manoeuvre, to remain there and take command of the forces of the State. Finding the enemy too strong for him Lafayette moved to Richmond, 20th May and on the 24th Lord Cornwallis with his whole command crossed the James at Westover and moved towards the Chickahominy. He was heard to say, speaking of General Lafayette, "The boy shall not escape me." On the 27th the British army encamped at White Oak Swamp and on the 28th they were at Botton's Bridge on the Chickahominy. Lafayette moved out of Richmond on the 27th May, having removed all valuable stores. His object was to avoid Cornwallis with his superior force. He moved from Richmond to Winston's Bridge near the forks of the Chickahominy, from which he retired on the 28th May to Colonel Dandridge's on the North Anna near Goldmine creek. On the 30th he moved northward across the North Anna at Anderson's Bridge, to Mattaponi Church in Spottsylvania county, where he was 2d June. He was moving parallel to the enemy, and sent orders to General Needom to collect the Virginia militia. The finest horses in the country had fallen into the hands of the enemy and the law gave liberty to impress only within twenty miles of the army, and he appealed to Governor Jefferson to extend the limit to fifty miles. Lafayette continued his march to Ely's Ford on the Rapidan, where he arrived on the 4th June. He then moved to Raccoon Ford on the Rapidan on the 7th. On the 10th June

General Wayne arrived with three regiments of the Pennsylvania Line, less than 1,000 men and six field pieces. Cornwallis had pursued Lafayette as far as Cook's Ford on the North Anna, and failing to overtake him he changed his course hastened with a view to break up the session of the General Assembly in session at Charlottesville, and also to attack Baron Steuben at the Point of Fork on James river, where he was guarding stores. Tarleton was sent with 180 cavalry and 70 mounted infantry to Charlottesville, and Lieutenant-Colonel Simcoe with 500 men was detached to attack Steuben. Tarleton moved rapidly, capturing and destroying wagons and stores on his way. He captured seven members of the General Assembly and came near capturing Governor Jefferson. He then destroyed 1,000 muskets, 400 barrels of gunpowder and a large lot of continental clothing and other stores. He then moved to Rivanna river to be ready to co-operate with Colonel Simcoe. The Point of Fork to which Simcoe was ordered is a point of land enclosed by the junction of the two rivers, the Rivanna and the Fluvanna, which form the James. Steuben's position was between the two streams, near the confluence, in Fluvanna county.

Steuben had been made aware of Tarleton's intended attack, but knew nothing of Simcoe's movement, as he had moved cautiously and arrested every person he met. When Simcoe arrived on the ground he learned that Baron Steuben had begun the movement of his stores to the south side of the Fluvanna river, and that he was passing that stream with troops intending to proceed southward with his troops to join General Greene in obedience to orders. Counter orders had however been sent him by which he was directed to remain in Virginia with Lafayette, but these had never reached him, having been intercepted by Tarleton, as Simcoe knew.

The Fluvanna river was too deep to ford and the British

had no boats on the north side where they were and Baron Steuben was on the south side out of his reach. Simcoe drew his forces out in sight of Steuben to impress upon him the fact that a large part of the British army was with him. During the night Steuben retreated, leaving a large quantity of stores. Simcoe sent some men across in a canoe which one of his men had swam over and procured, who destroyed the stores, and Simcoe then marched towards Goochland Court House, where he met Tarleton and Lord Cornwallis on the 7th of June. Cornwallis with Simcoe and Tarleton were now at Elk Hill and Lafayette and General Wayne at Raccoon Ford.

Lafayette moved to the North Anna on the 10th June and crossed at Brook's Bridge and then moved southward through Louisa county to the South Anna near Busnell's Tavern, where he was on the 12th June. From there he moved by an unfrequented route to Mechunk creek. He was here joined by 600 mountain riflemen from the adjacent county and was fifteen miles to the west of the British army. Cornwallis left his camp on Elk Hill on 15th June and moved in the direction of Richmond, entering that city on the 16th. He left Richmond on the 20th, moving towards Williamsburg.

During the early part of Lafayette's campaign in Virginia, after the death of General Philips and before the arrival of Cornwallis, a communication arrived by flag of truce, relating to an exchange of prisoners. The communication was signed by Benedict Arnold. General Lafayette asked the officer who bore the letter, if General Philips was dead. To this, the officer replied in the negative, though in fact he had died two days before, but Arnold did not wish it known—whereupon Lafayette declined to receive Arnold's letter, which should have come from the British commander, being dated from British headquarters.

Upon the following day the officer returned, saying he

was now at liberty to acknowledge that General Philips was dead and that Arnold was in command of the British army in Virginia. Lafayette at once returned the letter unopened, with the verbal message that he would hold no communication with Arnold. He accompanied his verbal message with a note to the officer bearing the flag as follows: Note for Capt. Emyne.

"May 15th, 1781.

"The Major General Marquis de Lafayette has the honor to present his compliments to Captain Emyne, and begs him to recollect that on the supposition of the death of Gen'l Philips he said "that he should know in that case what to do." From regard to the English army he made use of the most polite pretence for declining all correspondence with the English General who is at this moment Commander-in-chief. But he now finds himself obliged to give a positive denial. In case any other English officer should honor him with a letter he would always be happy to give the officer every testimony of his esteem."

He soon after opened correspondence with Lord Cornwallis. Arnold was stung by Lafayette's refusal to receive his note and threatened that unless a cartel such as he suggested were agreed upon, that thereafter all American officers captured would be sent to the West Indies.

After Cornwallis moved to Richmond Lafayette followed eastwardly moving with great caution to the south bank of the North Anna, and camped at Colonel Dandridge's, twenty three miles from Richmond. From there he sent orders on 18th June to Baron Steuben to join him, which he did on the following day. Lafayette's army now numbered about 5,000 men, of whom 2,000 were Continentals and the remainder militia and riflemen. On the 18th June General Muhlenberg with his corps advanced towards Meadow Bridge to attract the enemy's attention and Colonel Tarleton, stationed at that point came out against him with his cavalry. Lafayette then

sent to Muhlenberg's assistance his light infantry and the Pennsylvanians and forced Tarleton to retire. The enemy evacuated Richmond on the 21st and Lafayette passed through there the following day.

Moving eastward and on the 22d June he threw Gen. Muhlenberg's corps forward early in the morning to the fork of the road eight miles from Botton's Bridge, and stationed General Wayne four miles east of Richmond on the following day. The enemy were on the opposite side of Botton's Bridge that morning and the order to General Wayne was to pursue to Williamsburg, pressing his march to the British rear. Steuben was ordered to advance six or seven miles that night and proceed on the following morning to Savage's, continuing upon the road to Williamsburg until a junction of the whole force was made. The advance guard under Colonel Butler met Simcoe at Spencer's Ordinary on the 26th June and attacked and Simcoe retreated until reinforced by Lord Chewton. Cornwallis' troops commenced arriving at Williamsburg on 20th June and were all there on 25th.

On 28th June Lafayette took position at Tyree's plantation to the northwest of Williamsburg. Lafayette's force on 3d July was as follows:

Campbell's brigade,	780 militia
Wayne's brigade,	750 regulars
Muhlenberg's brigade,	800 regulars
Stevens' brigade,	650 militia
Lawson's brigade,	750 militia
Febeger's regiment,	425 regulars

4,155

(To be Continued.)

SELECTIONS FROM THE DOOLITTLE CORRESPONDENCE.

CONTRIBUTED BY DUANE MOWRY, MILWAUKEE, WIS.

[Senator Doolittle, born 1815, died 1897, was in the United States Senate 1857-1869. In the following selections, headings and bracketed matter are editorial insertions.]

SENATOR DOOLITTLE'S PEN PICTURE OF ABRAHAM LINCOLN.

[This pen portrait of President Lincoln will be interesting, although probably conveying nothing new to those who knew Lincoln. The original letter is evidently a rough draft of one sent to Mr. Fell, for there are many erasures and interlineations, all made in the same handwriting, Mr. Doolittle's. The document itself is very yellow, caused, presumably, by the peculiar ink used and by the age of the letter itself.]

CHICAGO, *Feb. 22, 1873*

JESSE W. FELL, ESQ.,

DEAR SIR:—I accept with pleasure your autobiography of Lincoln.

The engraving gives as true an expression of his features, while in repose, as any I have ever seen. No engraving could do justice to them when animated in conversation.

The *fac simile* of his handwriting is perfect; while the style and contents of his letter show that same vividness of recollection and clearness of thought which placed him among the great men of our day. They reveal, also, that simplicity, conciseness, and quaintness of statement, mingled with a playful good humor, which, in private conversation, charmed all who heard him, but did not conceal from those who knew him well, that deep undertone of sadness which touched, and, often, ruled his inner life.

To me, and I doubt not to thousands, your work speaks

a volume. How would we prize it if we could have with it such an autobiography of him whose birthday anniversary occurs to-day?

With many thanks for your kindness, I remain,

Truly yours,

J. R. DOOLITTLE.

MAXIMILIAN IN MEXICO.

[The author of the subjoined letter was the late Minister from Mexico to the United States, dying in Washington in the spring of 1905.]

Confidential.

WASHINGTON, *September 9th, 1862.*

HON. J. R. DOOLITTLE,

U. S. Senator,

Racine, Wiss.

DEAR SIR:

Your esteemed letter of the 4th instant with its enclosures, has been received. I will forward to Mr. Ainza the enclosed papers.

I am very glad to hear that your faith in the ultimate result of the present gigantic struggle, remains unshaken. When I consider all that is at stake: liberty, equality, self-government, progress and civilization, I cannot help trembling for an issue of (on) which so much will depend the future destinies of mankind. I must confess (to) you that the present management of affairs is not in my opinion, the best calculated to promote a favorable result. You will, I fear, have yet to lament further disasters until the people of the North fully aware of the proportions of the crisis make a mighty effort to overcome all obstacles and to succeed.

I feel very much obliged to you for your kind wishes, towards my unfortunate and dear country. You may be sure that we will resist to the last the invaders, though it

seems that we are going to be abandon (ed) to our fate by the rest of the world, even by the sister republics of this continent which are now at peace. I was in hopes that Garibaldi would give Napoleon in Italy trouble enough to diverge his attention from Mexico and to make him seek for peace, but unfortunate(ly) this morning's new(s) from Europe is that the Italian hero was defeated, wounded and capture(d) by the French.

Hoping to have the pleasure of hearing again soon from you, I remain, sir, very respectfully your most ob. ser.

M. ROMERO.

CHATTEL THEORY SATIRIZED.

[The year this letter was written does not appear, but it was in the post bellum days, probably in 1866 or 1867. At the top of the letter and in the same handwriting as the rest of it are these words: "A Copy for Hon. Mr. Doolittle Senator in Congress." The document was found among the late Judge James R. Doolittle's private papers. He was, at the time mentioned, a United States Senator from Wisconsin. Nothing is known of the author.]

HARTFORD, *Feb. 13.*

HON. MR. SUMNER:

My brother Harry keeps calling me a chattel, and says he will call me a two-fifther, if I do not mind him. I am not a chattel I tell him, but he says you and Mr. Dixon are going to make all the women in the United States chattels.

Ma-ma says I cannot understand it, but that chattels mean the two-fifths of the slaves who were never counted; and that you are trying to amend the Constitution so that women shall not be counted in it any longer, and so we shall be like chattels. Now Mr. Sumner if you do make us like chattels, I will be your worst enemy as long as I live.

Aunt Hetty, who has always lived with us, says it is because you are an old bachelor, but Mr. Dixon is not an old bachelor, I like old bachelors, uncle Harry is one, he used to have ever so many slaves, but he is as good as he can be,

and he says it is because you are afraid the south will beat yet, but I tell him that cannot be, now that they have all surrendered. Mrs. C., who has been to Washington, and *knows a great deal*, was here yesterday working for the freedmen, and said it was very poor pay for all the ladies had done for the war. She said she always liked you till you proposed last spring that women should not be counted in the Constitution any longer. She said it made her blood boil when she first read your amendment, for she saw that in future years, it might be the means of turning all the poor girls out of the factories, so as to fill up with men who counted, and boys who would count when old enough, for that each State would try to count as many as it could, so as to have as many representatives in Congress as it could. And she said that a few more such laws would make poor women and girls like the heathen women in Asia, who have to work all day for a cent, because man in ancient times made laws against them. Now, if you do not wish me to be your greatest enemy you will not injure poor women and girls as the old heathen did, but let them count just as they always have ever since Gen. Washington. How I wish he was living, for pa-pa says he would not let you put such an indignity and disparagement upon all the households of the country. Pa-pa is a clergyman, and says I must not hate anyone but forgive my enemies, but you will be my enemy first, if you do not let me count and so it will belong to you to forgive first. And if you will, and will let women count, as we always have been counted, I will be your

friend forever,
HATTIE ACMEATH.

P. S.—I am going to send this to all the papers pa-pa takes, and he takes ever so many, besides, uncle Harry takes the southern papers—and I know one who will publish it, for he praised my composition when he was here, and said he would print anything I would send him. H. Acmeath.

REVIEWS.

RECOLLECTIONS AND LETTERS OF GENERAL ROBERT E. LEE.
By His Son Captain Robert E. Lee. Illustrated. Octavo.
Cloth, pp. XII+461. Price \$2.50. New York: Double-
day, Page and Company, 1904.

The volume under review consists principally of letters written by General Lee to members of his family. These letters cover the period from the Mexican War to his death in 1870, and with the connecting narrative supplied by Captain Lee give an intimate account of the great leader's life during the War and the Reconstruction. Lee carried on an immense correspondence, especially after the close of the war, with the members of his family, friends, servants and strangers. He answered every letter received. The letters to his wife, sons and daughters contain news of the family, of the cats, dogs and horses, and are often bright and amusing even when the writer was in the midst of gravest troubles. The family life portrayed was beautiful. Lee had pet-names for all his children and was interested in all their affairs. We are glad to know that he went to sleep in church when the sermon was long, and that he liked to have the bottoms of his feet tickled by his small sons. He advised one young daughter "not to believe what the young men tell you," and was in the habit of seeing that his daughters' callers left at ten o'clock. To one daughter he wrote: "Preserve your simple tastes and manners and you will enjoy more pleasure. Plainness and simplicity of dress, early hours, and rational amusements, I wish you to practice." He was interested in everyone's love affairs and constantly urged his sons to marry: "Get a sweet wife. Let her bring a cow and a churn."

About politics and military affairs, Lee wrote but little.

He opposed secession though he believed in the abstract right, and was offered the command of the Federal army. There are no words of blame for any one for military blunders. There is nothing to be found which justifies the assertion now commonly made that he was desirous of submission months before Appomattox.

Lee favored Johnson's plan of Reconstruction and advised the Southern people to submit and make the best of affairs. His frank statements, truth and good manners, when badgered by the Reconstruction Committee, are in striking contrast with the conduct of his inquisitors. He did not advise his people to accept the Reconstruction forced upon them by Congress. It was too bad, he thought, to last—"The dominant party cannot reign forever, and truth and justice will at last prevail." Until his death he was disfranchised, though every negro man in Virginia could vote. He disliked the institution of slavery but predicted that free negro labor would be worthless.

The letters show that the General was deeply religious and his constant prayer was "May God preserve you all and bring peace to our distracted country."

After the surrender he decided that he wanted to live on a farm, and began "looking for some little quiet home in the woods, where I can procure shelter and my daily bread." His letters to his farmer sons are filled with advice about fertilizers and crops.

When offered a home in England, Lee wrote: "I cannot desert my native state in the hour of her adversity. I must abide her fortunes and share her fate." Declining all favorable offers of employment he chose to devote the remainder of his life to teaching the young men of the South, and in the quiet halls of Washington College he ended his life.

American history has no finer figure than that of Lee, and

these letters will serve to make known to strangers what manner of man he was whom "everyone and everything loved."

W. L. FLEMING.

WEST VIRGINIA UNIVERSITY.

THE IMMORTAL SIX HUNDRED. A Story of Cruelty to Confederate Prisoners of War. By Major J. Ogden Murray, One of the Six Hundred. Winchester, Va.: The Eddy Press Corporation, 1905.

This is a neatly bound, well printed and illustrated book of 274 pages which tells the story of the six hundred Confederate officers, prisoners of war, who were confined in the stockade on Morris Island, South Carolina, under fire of their own guns which were shelling that Island, and who were subsequently sent to Fort Pulaski, Geo., and Hilton Head, S. C., by order of Secretary Stanton, and served with rations which were unfit for man or beast.

These officers were placed under fire by order of Major Gen. J. G. Foster, U. S. A., commanding the Department of South Carolina, June 16, 1864. All of the official correspondence between Gen. Foster and the Confederate authorities is given, and full accounts of the treatment of the officers at all of the various prisons in which they were confined. The author has given a very graphic and complete description of the sufferings of the prisoners, and gives in the appendix the names, rank and commands of all of them, with a list of those who took the oath of allegiance to the U. S. Government.

This book will be a valuable addition to the history of the war between the states.

DISUNION SENTIMENT IN CONGRESS IN 1794. A Confidential Memorandum Hitherto Unpublished. Written by John Taylor, of Caroline, Senator from Virginia, for James

Madison. Edited, with an introduction, by Gaillard Hunt. W. H. Lowdermilk & Co., Washington.

This is a very curious historical document. It contains the substance of a prolonged conversation had in one of the Senate committee rooms in May, 1794, between Rufus King on the one hand and John Taylor, of Caroline, Oliver Ellsworth being present most of the time as a sympathizer with Senator King's views. The manifest object of the New Yorker and the New Englander was to impress the Virginian with the imminence of a break-up in the Union. Senator Taylor wrote down an account of the conference and sent it to Madison. The latter seems to have regarded it as improper to be preserved as against King and Ellsworth, for he separated it from his "papers" and it has never before been printed. In fact he suggests in a memorandum made on the document itself that the conversation was "*in terrorem*." Whether this was so or not, the conversation as here recorded has a striking historical significance. It proves conclusively that in five years after the government went into operation, its dissolution was discussed on the ground of expediency, and expediency alone, and by Northern Senators. With the lapse of time, present day Federalists are more willing to admit than formerly they were, that the Hartford Convention cloaked a serious secession movement. Senator Lodge candidly avows that if it had not been commonly accepted that a state had a right to secede, the Constitution could never have been ratified.

The publishers have rendered good service to the cause of history in putting forth this scholarly brochure. It will temper feelings on both sides of our most commanding controversy to learn at what an early date and in what quarters the right of a state to withdraw from the Union was first mooted.

There is a competent introduction, a fac simile of the memorandum and a printed copy of this.

THOMAS H. CLARK.

THE EARLY PERIOD OF RECONSTRUCTION IN SOUTH CAROLINA. By John Porter Hollis, Ph. D. Pp. 129, xii. 9 5/8x6 1/16 inches. Baltimore: The Johns Hopkins Press, 1905. (Series xxiii, Johns Hopkins University Studies in Historical and Political Science.)

Considering the haziness in the universities as to what is a doctor's thesis in history and what is the proper subject for it, Mr. Hollis may be excused for tackling such a problem as this. In fact he deserves our warmest appreciation for modestly confining himself to a limited period. He restricts himself to "a simple narration of the facts" comprising a brief account of the effects of the war, a description of the chief political steps down to 1868, with a short sketch of the Freedmen's Bureau in South Carolina. He has industriously gathered a vast mass of statements from what may be called original sources. He has used official documents liberally, but the larger part of his reliance is upon those very untrustworthy witnesses, newspapers. Such material is of untold value for "local color," for showing the spirit of the times, but for giving the facts they need to be used with the greatest caution. One instance, the killing of a soldier at Newberry (p. 46), illustrates the danger of trusting daily periodicals. There is another story of this event, quite different in some important respects, that appeared perhaps in the Charleston journal within the past few years.

Besides we are too near those occurrences for all the evidence to be put before the public. Letters, diaries, reminiscences, are still to be dressed up by the printer before we can get a survey of that era. If a thesis means completeness then such a topic should never have been chosen, but if the aim is to get a perfectly dispassionate and dry treatment of the great volume of literature already in existence, then Mr. Hollis has done a first class piece of work.

But it is doubtful whether the truth is to be shown except through power of imagination to create an impression. For

this style is demanded in the writer, and that unfortunately Mr. Hollis does not have. In that respect he is like all of his brethren who take the Ph. D. degree in history. Here was a fine field for a man with a glowing pen, and it is a solemn query whether any other should make the venture. The millions of facts can never reproduce the tension and anguish of those years, and such formal summaries as this may be a hindrance instead of a help whenever the right man to paint those scenes comes along. There should be some delimitation to the so-called scientific historian.

In the *N. C. Booklet* for March Rev. A. J. McKelway, writing of the Scotch-Irish settlements in North Carolina, makes a remarkable statement on the honesty of that people. He says that in Mecklenburg County, N. C., for one hundred years of recorded history not a native white was indicted for larceny. The *Booklet* for April prints articles on the Guilford Court House battle, by Maj. Joseph M. Morehead and on the German Palatines by Hon. Oliver H. Allen. With the opening of volume five the form of the *Booklet* will be changed from a monthly to a quarterly, July, Oct., Jan. and April. The contents for 1905-6 will be:

Genesis of Wake County, by Marshall DeLancey Haywood; St. Paul's Church, Edenton, N. C., and its Associations, by Richard Dillard, M. D.; North Carolina Signers of the National Declaration of Independence, Part II., William Hooper, by Mrs. Spier Whitaker; North Carolina at Kings' Mountain; Social Conditions in Eastern Carolina in Colonial Times, by Hon. J. Bryan Grimes; North Carolina's Poets, by Rev. Hight C. Moore; The History of the Capitol, by Col. Charles Earl Johnson; Cornelius Harnett, by R. D. W. Connor; Edward Moseley, by Prof. D. H. Hill; Governor Jesse Franklin, by S. Porter Graves; Governor Thomas Pollock, by Mrs. John W. Hinsdale; Battle of Cowan's Ford, by Major William A. Graham.

THE GEORGIAN. A Novel. By Will N. Harben, author of Abner Daniel, etc. New York and London: Harper Brothers, 1904. 12 mo; pp. 338. \$1.50.

Anyone who cares for tales of "homespun" life will get a great deal of pleasure out of *The Georgian*. The interest lies, not so much in the plot, which is conventional, as in isolated situations and in the characters. They are, as a rule, consistently worked out. This is particularly true of Abner Daniel, the hero. He has wit, good judgment, and common sense; he is courteous to all, and generous to a degree beyond most men. He is now and then inclined to pose, and the reader occasionally tires of him—as his acquaintances doubtless did when they saw too much of him at one time. But his unselfish devotion to the young Vaughan when the latter most needed friends, and his determined efforts to save from the gallows old Si Warren, lead the reader to Judge Abner's heart rather than his head. The other characters are here and there brought into strong relief, a single stroke telling all that need be known of them. The strength of the book, however, lies in its "local color," its "atmosphere." It is a representative picture of country life among the North Georgia mountains and hills. It is wholesome in tone, and, taken altogether, worthy of a permanent place among local studies of American life.

GEORGE S. WILLS.

Very prolific of bibliographies was the Library of Congress during 1904, under the chief of that division, Mr. A. P. C. Griffin. Something like a dozen or more came from the Government Printing Office bearing on questions of the day such as immigration, election of Senators, proportional representation, foreign budgets, railroads, banks, tariff, diplomacy, Germans in this country, Asiatic nations, impeachment, etc., most of them furnished very wisely with introductory guide for readers. The manuscript branch of the

same library was also very active in preparing several calendars of original written sources such as the Vernon-wager, and Monroe papers. The library also printed very handy little leaflets for distribution at the St. Louis exhibition describing its work.

The report of the Librarian for 1903 contains a list of manuscript accessions for the year previous, one of the most important items being 125 manuscripts bearing upon the early settlements of Jamestown. The larger portion of this volume of some six hundred pages is given up to a list of recent purchases of books running up to nearly three thousand titles.

That solid series of the official writings of the Governors of Iowa, under the editorial hand of Prof. B. F. Shambaugh, has finished Vol. 6, which covers two executives, William Larrabee and Horace Boies (octavo, pp. X, 429, 1904, cloth). This dignified task of the State Historical Society will soon be ended as this installment comes near to the present, down to 1890.

Dr. Stephen Beauregard Weeks announces he has now in course of preparation the copy for a definitive edition of his Bibliography of North Carolina. A preliminary edition of this work, extending to the letter F, was printed in 1892, a second and enlarged edition appeared under the title, Bibliography of the Historical Literature of North Carolina, as No. 48 of the series of Bibliographical Contributions published by Harvard University (Cambridge, 1895). With a few exceptions that work did not list sources and did not include other phases of the State's literature. The present work will undertake for all phases of the literary life of North Carolina what was done there for the field of digested history.

It will include every known book, pamphlet or magazine

article of importance dealing with the State or any part of the same, or with the career of North Carolinians; all literary work of North Carolinians regardless of its character and a list of the monthly and other periodical magazines published in the State.

It will not include the work of such North Carolinians as have removed from the State and are no longer to be regarded as its citizens or works that treat of them and their lives except so far as the latter bear on the history of the State itself or its families. It will not include encyclopaedia or geography or general history articles on the history and biography of the State unless for special reasons or where these are to a considerable extent the work of North Carolina writers. It will not include newspapers or any newspaper articles except for particular reasons.

Each title will be followed, so far as its importance seems to demand, by notes, historical, biographical, illuminative and critical. These will seek to show the field covered by the work in question where this is not evident from the title and to estimate its value, both for the general reader and for the scholar. The whole will be arranged alphabetically under authors, with cross references from title and subject entries. There will be a list of North Carolina portraits and a list of all books containing North Carolina maps. The whole will be included under a single alphabet.

It is hoped to give titles and collations with such accuracy and fulness of detail as to preclude a re-examination of the same ground. To attain this it is desirable that the compiler see whenever possible each book or pamphlet to be included in his list. When this is impossible he must depend for assistance on authors and on the owners of rare books for descriptions and collations. Each title will be given in full with uprights and with due regard to the use of capitals on the title page. In the transcript of the title page capitals will be used only: 1. At the beginning of the title itself; 2.

When a capital appears on the title page and is followed either by small letters or by small caps.; 3. For proper names and proper adjectives. The sizes of the books will be denoted by the rules of the A. L. A.:— 4 in. tall, means 48°; 4-5 in., 32°; 5-6 in., 24°; 6-7 in., 16° or S; 7-8 in., 12° or D; 8-10 in., 8° or O; 10-12 in., 4° or Q; 12 in. and over, F°. In collating the following signs will be used: t. or title, means title page one leaf, with verso blank or with copyright notice; 1 l., means one leaf printed on one side only, verso blank; [2] means two unnumbered pages, that is, one leaf printed on both sides and both pages unnumbered; [1] means an unnumbered page and always the verso of a numbered page; [] means words or figures not on title page or in text, also page or pages not numbered by printer as [1] and [2] above.

The following will serve as a sample of the method of reporting title pages and collation to be used:—

Alexander, J. B.

The history / Of Mecklenburg County / From 1740 to 1900. / by / J. B. Alexander, M. D., / Charlotte, N. C. / 1902. / Charlotte, N. C.: / Observer Printing House, / 1902. /

Collation: O. (9½x6½) pp. title, copyr. on verso; index to ill., [i]; index, [ii]—iv; preface, 3-7; text, 9-431; 24 ports.; 1 map; 1 ill. (port. of A. W. Miller not inserted at p. 258 as stated in index).

This collation will be elaborated as the importance of the individual volume may demand.

NOTES AND NEWS.

THE DEGREE OF DOCTOR OF PHILOSOPHY.—Judging from the very readable report of the last meeting of the American Historical Association that must have been an amusing conference on this subject for one who observes advanced history teaching in this country. Here were a number of men from the various universities discussing the doctorate in their field, but nowhere appears in the account any attempt to define either what a thesis is or what it should be. These products range from ambitious volumes based on a toilsome study of manuscript sources down to short summaries of a few printed works. Furthermore no one of those offering their views seemed to be aware that there was a far deeper consideration of the whole matter than they were giving, namely whether these labored treatises are worth anything either to the author or to others, in the way of preparing for a useful life. It is well known that few ever read these dry dissertations. Is it settled that the great generalizers depend much upon them? Can history be written in a lively way from secondary sources? Then if these efforts of prentice hands never reach the masses and are never used by the great writers, there can be only one other reason for producing them, namely the training the labor gives. If this were valuable its results would be of great importance indirectly, but unfortunately there is no trace of such beneficent influence upon public affairs or politics, or education either locally or nationally, in this country. True, we have been emphasizing historical study for only a score of years and the good may make itself yet felt in the future. Thus far no teacher of this subject is known to affect the civic life around him. It should broaden notions and widen sympathies, but the most marked examples of bitter prejudices on

the sectional issue in our life are seen to-day among history teachers on both sides of the line. In science it might be said that the corresponding attempts are almost without weight, but all of science is connected with practical matters and contributes very often to the improvement of material conditions. No one will claim that history has any such useful bearing. In fact there seems no place for it in the philosophy of education except for the development of character and consequently the regulation of conduct. It cannot contribute to our creature comforts except in a roundabout way by aiding our decisions on questions of governmental policy. It may keep us from making a political mistake, it may save us from repeating an experiment, it may warn us against a duplication of experience. But it can never do any of these things unless it makes a broad appeal to the whole body of people. It can never do this unless composed in a style attractive either in the topics selected or in the presentation of ideas. It must reach the high level bordering on the literary or even entering that domain. Such a command of expression is a natural gift, not a pedagogical product. The English teachers who can write themselves have about concluded that literature cannot be taught. If history touches that kingdom in its influence for good how long before we shall see it cannot be taught? So far the universities have only succeeded in fashioning students to write dull books useless to themselves and useless to others, a pitiful output for so much energy and endowment. Of the number of men who have gone through this mill only one comes to mind as possessing an attractive style. He never went through what is sometimes proudly called the "scientific" process. His facility of language is in spite of, not because of his historical university course.

TWO STATE DEPARTMENTS OF HISTORY.—The Legislature of West Virginia at its last session provided for a regular

bureau of history and archives with an appropriation for carrying on the work. At the same time the aid previously given yearly to the State Historical Society was withdrawn and that institution in consequence transferred all of its library and museum and other property to this State office. Hence the historical magazine, now half way through its fifth volume, will cease to appear under its former management, but whether it will be continued in its new hands seems an undecided matter at present. In the issue for April is given a table of contents of the successive numbers from the first one, January, 1901, down to the present, but there seems no hope that any index will be prepared. There was none to any of the volumes and we thus have a body of material of some eight hundred or more pages practically without any guide for the searcher. Throughout it has been largely genealogical, the historical articles not usually being scientific in matter.

South Carolina also provided for a similar department. The management give promise of great usefulness in the initial step as they chose Mr. A. S. Salley, secretary. Mr. Salley has for several years been a most efficient secretary of the State Historical Society, in Charleston, bringing up the membership to nearly 300, and publishing a quarterly magazine of considerable value. It is not settled whether that will be continued beyond the current volume.

A WASHINGTON RELIC.—It is said that Dr. James H. Carlisle, Spartanburg, S. C., has a Mexican silver half dollar with which Washington paid for his breakfast when he passed through that part of South Carolina in 1791, as he was returning home from his southern tour. He took breakfast with some one in Lancaster County and insisted on paying for what he had received just as any ordinary traveler would. The coin has been passed down to the descendants until it is now in the hands of Dr. Carlisle, who expects

to leave it to Wofford College. The local correspondent believes this piece is of extraordinary sentimental value as he thinks that no other money can be traced back to Washington. (*Sunday News*, Charleston, S. C., April 30, 1905.)

SIDNEY LANIER.—A beautiful sympathetic estimate of this gifted man whom disease cut off in his prime, lately appeared from the pen of Mr. D. C. Gilman, who was President of the Johns Hopkins University when Lanier was struggling into fame and at the same time gradually sinking towards the grave. Tender and pathetic is Mr. Gilman's tribute to this poet with whom he came into university relations. How sad and tragical his characterization appears, when we know how incurable Lanier's ailment was: "like a true knight errant, never disheartened by difficulty, never despondent in the face of danger, always brave, full of resources, confident of ultimate triumph." (*South Atlantic Quarterly*, April, 1905.)

GENIUS AND GREATNESS.—A mere matter of accident some philosophers say, among them Mr. Thomas B. Reed, or at least he was so reported. A striking illustration of how much chance plays in the career of mighty figures is that incident in the life of Gen. U. S. Grant, lately retold by one of the participants, of his application for a small office in Missouri in 1859. He did not get the place, and he himself was frank enough to say that if he had been successful he would never have been heard of. But failing in his application he volunteered at the beginning of the Civil War and hence followed his wonderful career. (Wm. Taussig, Vol. 2, No. 3, *Missouri Historical Society Collections*.)

THE DESERT ALONG THE MISSISSIPPI.—So declared an observer in 1770 when he was speaking of the route to the sea from Pittsburg. The great disadvantage of that path he

thought was "the great desert through which the small vessels must pass, affords an asylum for robbers." (*Virginia Magazine of History and Biography*, April, 1905, pp. 360.)

JOHN C. CALHOUN'S LAND.—Through the kindness of Miss Eliza Calhoun, Washington, D. C., we are enabled to print below papers for a tract of land that afterwards came into the possession of John C. Calhoun, so it is believed:

So. Carolina:

Pursuant to an order of Council to me directed and dated this day—I do hereby certify for Edw^d Dickie a Plantation or tract of Land containing Four hund^d Acres Situate as is supposed in Granville County (Survey March 17th, 1763, for sd Edwd. Dickie) on a branch of Savanna River called the N. W. fork of Long Cane Creek Bound^s N. W. on Wm. Calhoun's Land N. E. part on Hugh Calhoun's and part vact. S. E. part on vact. part on Arthur Pattons S. W. part on vact. and part on Samuel Clerks and hath such shape form and marks as the above platt represents—Given under my hand this 1st of July, 1766.

Pat^k Calhoun.

John [Illegible] D. S.

[On back of this land paper is the following.]

A Memorial hereof Entered in the Aud's Office
In Book H No. 8. Page (86) this 11th Septemb. 1766.

J. E. Hambton (?) Ds. Aud.

Edward Dickies Grant

for 400 Acres in Granville County

Secretarys Office [illegible]

Book A, A, A, Page 62 [illegible]

[illegible] Mill Seats.

Thos. [illegible]

PUBLICATIONS

VOLUME I, 1897, pp. 336, (Out of Print).

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